

Notice of Allowability

Application No.

10/695,869

Applicant(s)

KAWABATA ET AL.

Examiner

Art Unit

Ben Lewis

1745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/16/07.
2. ☒ The allowed claim(s) is/are 21-40.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael S. Huppert on April 15, 2007.

Drawings

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

Corrected drawings (as "replacement sheets") must be submitted. The drawings filed on 1/16/2007 are non-compliant pursuant to 37 CFR 1.121

37 CFR 1.121 states:

(d) *Drawings*: One or more application drawings shall be amended in the following manner: changes to an application drawing must be compliance with § 1.84 and must be submitted on replacement sheet of drawings which shall be an to the amendment document and, in the top labeled "Replacement Sheet". Any replacement of drawings shall include all of the figures on the immediate prior version of the sheet, only one figure is amended. Any new sheet drawings containing an additional figure must be the top margin as "New Sheet". All changes drawings shall be explained, in detail, in drawing amendment or remarks section of amendment paper.

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(1) A marked-up copy of any amended drawing figure, including annotations indicating changes made, may be included. The marked-up must be clearly labeled as "Annotated" and must be presented in the amendment or remarks section that explains the change to the drawings.

(2) A marked-up copy of any amended drawing figure, including annotations indicating changes made, must be provided when required by examiner.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

REASONS FOR ALLOWANCE

Claims 21-40 are allowed.

The invention of independent claim 20 recites:

A battery pack comprising:

a battery having a safety valve opening surface; a safety valve opening formed in said safety valve opening surface; a safety valve disposed in said safety valve opening; a molded resin region attached to said battery safety valve opening surface; and an insulating material disposed between said safety valve opening surface and said molded resin region so as to cover said safety valve opening,

wherein said insulating material includes a through hole located at a position that is separate from said safety valve opening, and said molded resin region is connected to said battery safety valve opening surface through said through hole.

The invention of independent claim 30 recites:

A battery pack comprising:

a battery having a safety valve opening surface; a safety valve opening formed in said safety valve opening surface; a safety valve disposed in said safety valve opening; a molded resin region secured to said battery safety valve opening surface; and an insulating material disposed between said safety valve opening surface and said molded resin region so as to cover said safety valve opening, wherein said insulating material includes a projection extending into said molded resin region, and said projection couples said insulating material and said molded resin region.

The prior art Iwaizono et al. (U.S. Patent No. 6,524,732 B1) does not teach or suggest a cell including all of the claimed features.

For these reasons, the claims are allowed over the prior art. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

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Such submissions should be clearly labeled "comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ben Lewis whose telephone number is 571-272-6481. The examiner can normally be reached on 8:30am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ben Lewis


SUSY TSANG-FOSTER
PRIMARY EXAMINER

Patent Examiner
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